IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3259 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

URMILA KIRIT SHAH

Versus

UNION OF INDIA

Appearance:

MR PY DIVYESHVAR for the Petitioner.

MR DN PATEL for the Respondent.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 28/03/2003

ORAL JUDGEMENT

This is a petition for a direction to the respondent authority to make correction in the passport already issued to the petitioner on the basis of the

birth certificate issued by the competent authority showing his correct date of birth as 29th March, 1944 in place of 29th March, 1940.

2. Heard the learned counsel for the parties. The petitioner has moved an application for correction of the date of birth as 29th March, 1944 in place of 29th March, 1940 on the basis of the birth certificate issued by the competent authority. However, the respondent authority has refused to correct the same on the ground that they have no authority unless an order is passed by the competent court of law. In the facts and circumstances, this petition is being disposed of finally with a direction to the petitioner to make a fresh application/representation to the respondent authority within two weeks from today and in case such application/representation is moved by the petitioner , then the respondent authority is directed to decide the application/representation of the petitioner in accordance with law and on the basis of the material on record within a period of four weeks from the date of presentation of the certified copy of this judgment. The respondent authority will be at liberty to impose appropriate costs for these proceedings. Rule made absolute accordingly with no order as to costs. Direct service permitted.

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